

## REMARKS

Applicants thank Examiner Bezuayehu for the interview conducted on May 26, 2010 (“the interview”) and for agreeing in the interview that the cited portions of the cited references do not disclose or suggest when a first recipient does not answer a first call, placing one or more subsequent calls to the first recipient, each of the one of more subsequent calls placed after a predetermined time interval has passed and when a number of the one or more subsequent calls satisfies a threshold, stopping placing the one or more subsequent calls to the first recipient.

Claims 1-26 are pending in the application. Claim 27 has been cancelled without prejudice or disclaimer. Claims 1-3, 6-8, 11, and 20-21 have been amended. No new matter has been added. Support for the amendments may be found in at least paragraph 0021 of the application. Applicants respectfully submit that the claims are in condition for allowance.

### **I. Claims 1-2, 5-9, 11, and 13-26 are Allowable**

The Office has rejected claims 1-2, 5-9, 11, and 13-27, at paragraphs 1-3 of the Office Action, under 35 U.S.C. § 103(a), as being unpatentable over U.S. Patent Publication No. 2004/0225733 (“Tesink”) and further in view U.S. Patent Publication No. 2004/0125931 (“Archer”). Claim 27 has been cancelled without prejudice or disclaimer, rendering its rejection moot. Applicants respectfully traverse the remaining rejections.

#### **A. Claims 1-2 and 5-9**

Applicants thank Examiner Bezuayehu for agreeing in the interview that the cited portions of the cited references do not disclose or suggest when a first recipient does not answer a first call, placing one or more subsequent calls to the first recipient, each of the one of more subsequent calls placed after a predetermined time interval has passed and when a number of the one or more subsequent calls satisfies a threshold, stopping placing the one or more subsequent calls to the first recipient, as in claim 1. Hence, claim 1 is allowable. Claims 2 and 5-9 are allowable, at least by virtue of depending from an allowable claim.

**B. Claims 11 and 13-20**

Applicants thank Examiner Bezuayehu for agreeing in the interview that the cited portions of the cited references do not disclose or suggest when a first user answers a given VoIP call, delivering a message via the given VoIP call, when the first user does not answer the given VoIP call, placing one or more subsequent VoIP calls to the first user, each of the one of more subsequent VoIP calls placed after a predetermined time interval has passed and when a number of the one or more subsequent VoIP calls satisfies a threshold, stopping placing the one or more subsequent VoIP calls to the first user, as in claim 11. Hence, claim 11 is allowable. Claims 13-20 are allowable, at least by virtue of depending from an allowable claim.

**C. Claims 21-26**

Applicants thank Examiner Bezuayehu for agreeing in the interview that the cited portions of the cited references do not disclose or suggest when a first recipient does not answer an individual call, placing one or more subsequent calls to the first recipient, each of the one of more subsequent calls placed after a predetermined time interval has passed and when a number of the one or more subsequent calls satisfies a threshold, stopping placing the one or more subsequent calls to the first recipient, as in claim 21. Hence, claim 21 is allowable. Claims 22-26 are allowable, at least by virtue of depending from an allowable claim.

**II. Claims 3-4 are Allowable**

The Office has rejected claims 3-4, at paragraph 4 of the Office Action, under 35 U.S.C. § 103(a), as being unpatentable over Tesink in view of Archer and further in view of U.S. Patent Publication No. 2007/0127707 (“Koser”). Applicants respectfully traverse the rejections.

Claims 3-4 depend from claim 1. Applicants thank Examiner Bezuayehu for agreeing in the interview that the cited portions of the cited references do not disclose or suggest when a first recipient does not answer a first call, placing one or more subsequent calls to the first recipient, each of the one of more subsequent calls placed after a predetermined time interval has passed and when a number of the one or more subsequent calls satisfies a threshold, stopping placing the one or more subsequent calls to the first recipient, as in claim 1, from which claims 3-4 depend. Hence, claim 3-4 are allowable.

### **III. Claims 10 and 25 are Allowable**

The Office has rejected claims 10 and 25, at paragraph 5 of the Office Action, under 35 U.S.C. § 103(a), as being unpatentable over Tesink in view of Archer and further in view of U.S. Patent Publication No. 2005/0135383 (“Shenefiel”). Applicants respectfully traverse the rejections.

#### **A. Claim 10**

Claim 10 depends from claim 1. Applicants thank Examiner Bezuayehu for agreeing in the interview that the cited portions of the cited references do not disclose or suggest when a first recipient does not answer a first call, placing one or more subsequent calls to the first recipient, each of the one of more subsequent calls placed after a predetermined time interval has passed and when a number of the one or more subsequent calls satisfies a threshold, stopping placing the one or more subsequent calls to the first recipient, as in claim 1, from which claim 10 depends. Hence, claim 10 is allowable.

#### **B. Claim 25**

Claim 25 depends from claim 21. Applicants thank Examiner Bezuayehu for agreeing in the interview that the cited portions of the cited references do not disclose or suggest when a first recipient does not answer an individual call, placing one or more subsequent calls to the first recipient, each of the one of more subsequent calls placed after a predetermined time interval has passed and when a number of the one or more subsequent calls satisfies a threshold, stopping placing the one or more subsequent calls to the first recipient, as in claim 21, from which claim 25 depends. Hence, claim 25 is allowable.

### **IV. Claim 12 is Allowable**

The Office has rejected claim 12, at paragraph 6 of the Office Action, under 35 U.S.C. § 103(a), as being unpatentable over Tesink in view of Archer and further in view of U.S. Patent Publication No. 2006/0098576 (“Brownrigg”). Applicants respectfully traverse the rejections.

Claim 12 depends from claim 11. Applicants thank Examiner Bezuayehu for agreeing in the interview that the cited portions of the cited references do not disclose or suggest when a first user answers a given VoIP call, delivering a message via the given VoIP call, when the first user does not answer the given VoIP call, placing one or more subsequent VoIP calls to the first user, each of the one of more subsequent VoIP calls placed after a predetermined time interval has passed and when a number of the one or more subsequent VoIP calls satisfies a threshold, stopping placing the one or more subsequent VoIP calls to the first user, as in claim 11 from which claim 12 depends. Hence, claim 12 is allowable.

### **CONCLUSION**


Applicants have pointed out specific features of the claims not disclosed, suggested, or rendered obvious by the cited references applied in the Office Action. Accordingly, Applicants respectfully request reconsideration and withdrawal of each of the objections and rejections, as well as an indication of the allowability of each of the pending claims.

Any changes to the claims in this response, which have not been specifically noted to overcome a rejection based upon the cited art, should be considered to have been made for a purpose unrelated to patentability, and no estoppel should be deemed to attach thereto. The Examiner is invited to contact the undersigned attorney at the telephone number listed below if such a call would in any way facilitate allowance of this application.

The Commissioner is hereby authorized to charge any fees, which may be required, or credit any overpayment, to Deposit Account Number 50-2469.

Respectfully submitted,

5-28-2010  
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Date

  
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